

FILED WASCO COUNTY
THE DALLES, OREGON
JULY 10 1989
CLERK OF COUNTY

IN THE COUNTY COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE APPLICATION OF)
TYWAMA SADDLE CLUB FOR A COMPREHENSIVE)
PLAN MAP AMENDMENT FROM EXCLUSIVE FARM USE) ORDINANCE AMENDMENT
TO INDUSTRIAL AND A ZONE CHANGE FROM)
"A-1(80)" TO "M-1")

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for transaction of public business and a majority of the Court being present; and

IT APPEARING TO THE COURT: That the Wasco County Planning Commission met and conducted a public hearing on April 3, 1989, to consider an application by Tywama Saddle Club for a Comprehensive Plan Amendment to change the Plan map from Exclusive Farm Use to Industrial and a zone change from "A-1(80)" to "M-1" for property described as Township 3 South, Range 13 East W.M., Tax Lots 4300, and Township 4 South, Range 13 East W.M., Tax Lot 1501.

IT FURTHER APPEARING TO THE COURT: That the Planning Commission recommended approval of the subject request based upon Planning Staff findings and testimony and evidence presented at the hearing.

IT FURTHER APPEARING TO THE COURT: That on May 3, 1989, in the County Courtroom of the County Courthouse in The Dalles, Oregon, this Court conducted a public hearing on the subject application at which time the Court received testimony of parties.

P89-0134 (28)

Based upon the entire record of all testimony and evidence received, the Wasco County Court hereby makes the following findings:

1. Proper notice was given and the hearing was held in accordance with procedural rules for quasi-judicial zone change applications and in conformity with said requirements as set forth in the Wasco County Comprehensive Plan;
2. All members of the County Court were present and were qualified to sit as decision-makers after full disclosure was made and the matter of qualifications was discussed by Court;
3. In making its decision, the Court recognizes the procedural and legal requirements of Wasco County Comprehensive Plan and Land Use and Development Ordinance and weighed fully each requirement in arriving at its decision;
4. Adopts the recommendation of the Wasco County Planning Commission (Attachment A);
5. Adopts the Planning and Development Office Staff report, comments and findings (Attachment "B").

NOW, THEREFORE: based upon the attached findings of fact, the County Court for Wasco County hereby ordains as follows: The Wasco County Comprehensive Plan Map is amended to adopt the "Industrial" designation and the Wasco County zoning map is amended to adopt the "M-1-LU" designation for property described as Township 3 South, Range 13 East W.M., Tax Lot 4300 and Township 3 South, Range 13 East W.M., Tax Lot 1501.

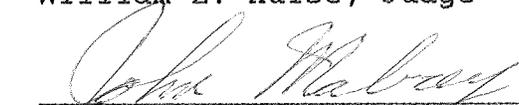
Regularly passed and adopted by unanimous vote of all members of the County Court of the County of Wasco, State of Oregon.

DATED this 3rd day of May, 1989.

WASCO COUNTY COURT



William L. Hulse, Judge

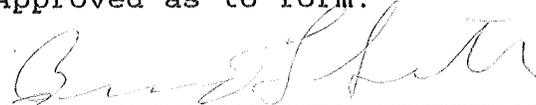


John Mabrey, Commissioner



Scott McKay, Commissioner

Approved as to form:



Bernard L. Smith
Wasco Co. District Attorney

WASCO COUNTY PLANNING COMMISSION

IN THE MATTER of the Application of)
Tywama Saddle Club for a Comprehensive) RECOMMENDATION
Plan Amendment and zone change.)

On Monday, April 3, 1989, the Wasco County Planning Commission duly met and conducted a public hearing upon the application of Tywama Saddle Club for an amendment to The Comprehensive Plan map to change the designation of Exclusive Farm Use to Industrial, and a Zone Change to change the designation from "A-1(80)" Exclusive Farm Use to "M-1" Light Industrial for property described as Township 3 South, Range 13 East W.M.(Section 33), Tax Lot 4300 and Township 3 South, Range 13 East W.M., (Section 4), Tax Lot 1501.

The following voting members of the Commission were present: John Kerege, Irl Davis, Bill Reeves, Maureen Musser, Pat Davis, Maureen Mack and Joe Sullivan.

The hearing was opened and testimony was received from all interested parties, including a Staff Report from the Planning and Development Office.

Upon closure of the hearing, the Commission, based upon testimony received and the Staff Report, voted unanimously to recommend to the County Court that the request be granted.

Submitted for the Commission,


By: Dan Durow, Director
Wasco Co. Planning and Development Office

ATTACHMENT A

P89-0134 (28)

TO: Wasco County Planning Commission

FROM: Wasco County Planning & Development Office

SUBJECT: Request for a Comprehensive Plan Amendment and Zone Change.

APPLICANT: Tywama Saddle Club

REQUEST: To consider amendments to the Wasco County Comprehensive Plan and zoning maps for the area commonly referred to as the All-Indian Rodeo grounds. The current plan designation is Exclusive Farm Use and the zone is "A-1(80)" Exclusive Farm Use. The request is to change the designations to Industrial and "M-1" Light Industrial, respectively.

LOCATION: East of and adjacent to Highway 197 approximately two miles northwest of Tygh Valley on property described as Township 3 South, Range 13 East, Tax Lot 4300 and Township 4 South, Range 13 East Tax Lot 1501.

PROPERTY OWNER: Tywama Saddle Club c/o Sharon Thompson

REGULATIONS: Statewide Planning Goals, Oregon Administrative Rules, Wasco County Comprehensive Plan, and Wasco County Land Use and Development Ordinance.

AUTHORITY: Wasco County Land Use and Development Ordinance, Section 2.060 C.

EXHIBITS: A. Notice mailed to adjacent property owners and interested parties.
B. Application as submitted.
C. "M-1" Zone.

NOTIFICATION: In addition to owners of property within three hundred (300) feet of the subject parcel, the following individuals/agencies were notified of the subject request: Wasco County Court, Assessor, District Attorney, Land Use Counsel, Roadmaster, Sanitarian, Watermaster, and Central Citizen Advisory Group; Pine Hollow Fire Dept.; Wasco County Soil and Water Conservation District; Oregon Department of Land Conservation and Development; Wasco County School Dist. #40; and Wasco Union High School.

COMMENT: Oral comment was received from the County Sanitarian. He indicated that no known problems exist on the site for potential subsurface sewage disposal, but that an on-site evaluation would need to be done to know for sure.

FINDINGS: A. Background Information

1. The Comprehensive Plan designation for the area surrounding the subject property is Exclusive Farm Use (EFU).
2. Lot Size: 57.40 acres.
3. Access: Hwy 197.
4. Land Use: The west portion contains the Saddle Club and rodeo grounds, including parking area, rest rooms, and meeting room. The east side is steep shrub and grass land.
5. Surrounding Land Use: Agricultural, primarily range land. The Tygh Valley Rural Service Center is over one mile away to the southeast.
6. Soils: According to the Soil Survey of Wasco County (Northern Part), the subject property contains predominantly Riverwash and Sherar cobbly loam, which have agricultural Capability Classes of VIII and VI, respectively. The portion currently developed is on Class VIII soil.
7. Sewage Disposal: Currently self-contained out houses are used.
8. Water: Private well and developed spring.

9. Taxes: Commercial.

B. Applicable Goal and Comprehensive Plan Provisions and Analysis

1. The subject property is designated as Goal 3 (agricultural) land on the Comprehensive Plan map although the parcel had been developed in a non-farm use (rodeo grounds) for many years prior to adoption of the Plan. In order to redesignate the property with a non-agricultural classification, an exception to Goal 3 must be taken. Oregon Administrative Rules (OAR) Section 660-04-018 identifies two general types of exceptions. The first is based upon "physical development" or "irrevocable commitment" or both. The second is based upon "reasons" why the Goal should not apply. This request will rely on the former.

2. In the case of the Tywama Saddle Club property, a portion of the land is currently developed in a non-farm use. Furthermore, much of the property is not suitable for farm use, i.e. the soil quality is low (class VIII; see Finding A.6). The northwestern portion of the parcel supports a rodeo ground, parking area and a meeting hall (see Exhibit B). This use is not permitted by Goal 3, as articulated in Oregon Revised Statutes (ORS) 215.283.

The remainder of the level portion of the property is used primarily as overflow parking, and is also not suitable for agriculture. The entire eastern portion of the property is steep range and not utilized by the current owners. The purpose for the requested amendment is to allow a wider variety of uses on the property because the saddle club is no longer self-sustaining and uses allowed by the current EFU zone are not practical because of unsuitability of the site based on soil quality, parcel size, and prior commitment to non-farm use.

3. OAR 660-04-028 specifies the criteria that are to be addressed when justifying "irrevocable commitment," in this case for the southern, non-built portion of the lot. These criteria deal with the characteristics of the property and its vicinity, existing adjacent uses and public facilities, ownership pattern of the area, and other relevant factors.

As we have seen, the parcel is characterized by a level portion near the highway (Class VIII soil) and a steep hillside on the back (east) side (class VI soil). The developable portion of the property is isolated from adjacent lands by the raised highway on the west and south, the steep hillside on the east, and existing development on the north. The lands adjacent to the parcel are entirely agricultural. The parcel is at the foot of Butler Canyon, where the canyon joins with Tygh Valley. To the north and east of the rodeo grounds is range land of Tygh Ridge, characterized by large ranch holdings. To the south and west is Tygh Valley, characterized by irrigated agriculture, primarily hay and improved pasture. The valley is also characterized by rather large holdings, mostly in excess of one hundred acres.

The subject parcel, at 57.40 acres, is anomolous. According to County Assessor information, Tax Lot 1501 was created in 1969 and Tax Lot 4300 was created prior to 1971 (exhibit B) so they predate Goal 3. Considering the size of the subject parcel and its current use relative to the normal agricultural enterprise of the area, it is evident that the property is not a farm parcel. When it is further taken into account that the property is isolated, partially developed, taxed as a commercial use, and not of adequate soil quality to be considered agricultural land, it appears that the request complies with the provisions of OAR 660-04-025 and -028 to be considered "physically developed" and "irrevocably committed" to non-farm use.

4. The Wasco County Comprehensive Plan requires consideration of general criteria prior to approval of a Plan amendment. The criteria to be considered are:
- (a) Compliance with the statewide land use goals as provided by the LCDC, where applicable.
 - (b) Substantial proof that such change shall not be detrimental to the spirit and intent of such goals.
 - (c) A mistake in the original comprehensive plan or change in the character of the neighborhood can be demonstrated.

- (d) Factors which relate to the public need for healthful, safe and aesthetic surroundings and conditions.
- (e) Proof of change in the inventories originally developed.
- (f) Revisions shall be based on special studies or other information which will serve as the factual basis to support the change. The public need and justification for the particular change must be established.

The previous findings in this report have addressed compliance with statewide goals (criterion a). The findings indicated the request does comply. The "spirit and intent" of Goal 3 (criterion b) is to protect agricultural lands and the findings show that the parcel is isolated from existing agricultural uses. Access to the site is from a state highway, so movement of farm products and machinery will not be hindered. Regarding criterion (c), no change in the character of the area has occurred since acknowledgment. A mistake may have occurred because the property is surrounded by agricultural land and the non-farm use was not differentiated, or it was considered "other land." The factors relating to the public need for healthful, safe, and aesthetic surroundings and conditions are considered more fully in section C of this report, where zoning is discussed. These factors are protected by zoning requirements. Regarding criterion (e), no change in the original inventories is evident.

Regarding criterion (f), this report is the required special study. The need alleged by the applicant for the amendment is to allow for additional uses on the property to help sustain the saddle club and rodeo events. These existing uses are important in the rural Tygh Valley area where the variety of recreational opportunities are limited. The rodeo is also important economically to the Tygh Valley merchants. The "particular change" as the criterion addresses, is from Exclusive Farm Use to an Industrial Plan designation. The reason the request is for an industrial designation is because of the specific uses allowed by the individual zones in The Wasco County Land Use and Development Ordinance, which is discussed in the next section.

C. Applicable Ordinance Provisions and Analysis

1. The request is for a zone change from "A-1(80)" Exclusive Farm Use to "M-1" Light Industrial. The reason for this request is that the M-1 zone is the only zone in the Land Use & Development Ordinance (LUDO) that permits rodeo grounds. This is also the reason that Industrial is the requested Comprehensive Plan designation. Furthermore, the M-1 zone conditionally permits other recreation facilities, which is the type of activity the applicant is attempting to attract to the site.

2. Section 9.020 of LUDO establishes criteria for review of zone change requests. It must be established that the original zoning was the product of a mistake or that:
 - (a) The rezoning will conform with the Comprehensive Plan; and,
 - (b) The site is suitable to the proposed zone; and
 - (c) There has been a conscious consideration of the public health, safety and welfare in applying the specific zoning regulations.

The requested zoning designation will conform to the Comprehensive Plan if the concurrent plan amendment request is approved. The suitability of the site for the proposed zone depends upon the permitted uses in the zone. Those uses will be discussed in the next section, and the suitability of the site along with health, safety and welfare will be considered when determining what is permitted.

3. OAR 660-04-018 requires that uses permitted in exception areas justified by development and/or commitment must be limited to "uses which are the same as the existing types of land use on the exception site" or rural uses that meet the following requirements:
 - (a) The rural uses are consistent with all other applicable Goal requirements; and

- (b) The rural uses will not commit adjacent or nearby resource land to nonresource use as defined in OAR 660-04-028; and
- (c) The rural uses are compatible with adjacent or nearby resource uses.

Upon examination of the uses permitted in the M-1 zone (Exhibit C), certain uses can be immediately dismissed because they are not similar to the rodeo grounds or they are not rural in nature. In addition, many uses that could be considered rural or potentially rural would be better suited to existing exception areas such as Tygh Valley. Further limiting potential uses is the Comprehensive Plan requirement to include aesthetic considerations; the property is adjacent to and highly visible from Highway 197 so many industrial uses would not be suitable.

With all these criteria in mind, only a handful of potential uses listed in the M-1 zone can be permitted. There are additional uses allowed because section 3.510.1 permits "any use permitted in the "C-2 Commercial Zone." Similar language in the C-2 zone permits uses in the "R-C" Residential-Commercial zone, which in turn allows the "R-4" Residential zone uses. This opens up a plethora of other uses potentially permitted in the M-1 zone. All of these uses also should be excluded because they are not rural uses or because they would be more suitable in existing exception areas.

Staff has identified the following uses that should be permitted on the subject property, along with the ordinance section number:

1. Public utility buildings and service yards (3.510 B.5.)
2. Circus, rodeo or like activity (3.510 B.18)
3. Uses customarily incidental to any of the above uses and accessory buildings, when located on the same lot or land parcel (3.510 B.23)
4. One mobile home or watchman's quarters in conjunction with a permitted or conditional use (3.510 B.24)

5. Utility facilities necessary for public service (3.510 B.27)

In addition, the following uses should be permitted conditionally:

1. Recreation areas and facilities, including but not limited to golf courses. (3.510 C.4)

4. Consideration of these uses regarding the health, safety and welfare of the public is required by Section 9.020 of the Ordinance. The extreme northwest corner of the property is shown to be within a Zone A flood hazard area on the Flood Insurance Rate map for Wasco County. Zone A indicates a one percent chance of flooding in any given year. The existing development and the area planned for future development is outside the hazard zone. If any development were proposed in this area, it would need to comply with LUDO chapter 22 "Flood Damage Prevention," and the public welfare would be protected.

Any of the permitted uses would be required to have an approved site plan prior to construction, so traffic flow and safety would be safeguarded. The permitted uses would not generally require sophisticated sewage disposal facilities. No detrimental impact on air quality is expected from any of the listed uses.

The mechanism for limiting the uses is the "LU" Limited Use Overlay zone (LUDO section 3.600), which enables the Approving authority to prohibit uses otherwise permitted in the zone. The resultant zone designation would be "M-1-LU."

Conclusions

1. The request is for a Comprehensive Plan Amendment to change the plan map designation from Exclusive Farm Use to Industrial and zone change from "A-1(80)" Exclusive Farm Use to "M-1" Light Industrial.
2. The subject property is not generally suitable for farm use.
3. The northern portion of the parcel is physically developed in a use not permitted by Goal 3.

4. The southern portion of the parcel is irrevocably committed to non-farm use.
5. The request, with uses limited, complies with the Wasco County Comprehensive Plan.
6. The request complies with the provisions of Section 9.020 of the Land & Development Ordinance.
7. The request with uses limited to those similar to the existing use or rural uses, complies with the exception requirements of Goal 2 and OAR 660-04-018.

STAFF RECOMMENDATION:

Based on the above findings of fact, staff recommends to the Planning Commission that they forward to the Wasco County Court a recommendation that the request by the Tywama Saddle Club for a Comprehensive Plan Amendment and Zone change be approved, so that the plan designation will be Industrial and the zone be "M-1-LU" with the uses limited as follows:

1. Permitted uses shall be limited to:
 - (a) Public utility buildings and service yards.
 - (b) Circus, rodeo or like activity.
 - (c) Uses customarily incidental to any of the above uses and accessory buildings, when located on the same lot or land parcel.
 - (d) One mobile home or watchman's quarters in conjunction with a permitted or conditional use.
 - (e) Utility facilities necessary for public service.
2. Conditional uses shall be limited to:
 - (a) Recreational areas and facilities, including but not limited to golf course.

PLANNING AND DEVELOPMENT OFFICE

WASCO COUNTY

1721 W. 10th STREET

THE DALLES, OREGON 97058

DANIEL C. DUROW, Director

PHONE: (503) 298-5169

NOTICE OF PUBLIC HEARING

Place: Wasco County Courthouse, Circuit Courtroom

Date: April 3, 1989

Meeting Time: 7:00 p.m.

The Wasco County Zoning Board of Adjustment will hold a public hearing on the following item on the date and at the time indicated above. The Board of Adjustment invites views and comments at the meeting, or by letter or petition, on this proposal.

- (a) Location: East of and adjacent to Hwy. 197 approximately two miles northwest of Tygh Valley.
- (b) Legal Description: Township 3 South, Range 13 East, Tax Lot 4300 and Township 4 South, Range 13 East, Tax Lot 1501.
- (c) Property Owner: Tywama Saddle Club
- (d) Applicant: Tywama Saddle Club
- (e) Present Zoning: "A-1 (80)" Exclusive Farm Use
- (f) Ordinance Section: 9.020 of the Wasco County Land Use and Development Ord.
- (g) Request and Purpose: Comprehensive Plan Amendment from Exclusive Farm Use to Industrial and zone change from "A-1 (80)" Exclusive Farm Use to "M-1" Light Industrial.


By: Dan Durow
Director of Planning and Development

Notice to mortgagee, lienholder, vendor or seller: Oregon Revised Statutes 215 require that if you receive this notice, it must promptly be forwarded to the purchaser.

EXHIBIT A

P89-0134 (38)

WASCO COUNTY

NOTICE OF PUBLIC HEARING TO CONSIDER
A COMPREHENSIVE PLAN AMENDMENT

STATE OF OREGON)
) ss
County of Wasco)

NOTICE IS HEREBY GIVEN: That at the hour of 10:00 a.m. on May 3, 1989, a Public Hearing will be held in the County Courtroom, Room 302, of the Wasco County Courthouse, in The Dalles, Oregon, to consider the application of Tywama Saddle Club for a Comprehensive Plan Amendment and Zone Change to change the map designation from Exclusive Farm Use to Light Industrial. The subject property is located east of and adjacent to Highway 197 approximately two miles northwest of Tygh Valley, and is described as Township 3 South, Range 13 East W.M., (Section 33), Tax Lot 4300 and Township 4 South, Range 13 East W.M., (Section 4), Tax Lot 1501.

This Notice will be posted at the Wasco County Courthouse and at two (2) other public places in Wasco County.

By ORDER of the Wasco County Court.



Karen LeBreton, Wasco County Clerk

Approved by:



Bernard L. Smith
Wasco County District Attorney

[Publication Date: April 12, 1989]

P89-013K (28)

WASCO COUNTY PLANNING & DEVELOPMENT OFFICE

WASCO COUNTY COMPREHENSIVE PLAN AMENDMENT APPLICATION

RECEIVED
MAR 13 1989
Wasco Co. Plan. & Dev. Office

APPLICANT:

Tywama Saddle Club Telephone: 483-2238
(Last) (First) (Middle)
Tygh Valley, Oregon 97063
(Street or P.O. Box) (City) (State) (Zip)

LOCATION OF SUBJECT PROPERTY:
Township: 3S Range: 13 EWM Section: (33) Tax Lot: 4300 A
Township: 4S Range: 13 EWM Section: (04) Tax Lot: 1501
Lot Size: T.L. 4300 = 39.90 AC.
T.L. 1501 = 17.50 AC.
(57.40 Total Ac.)

Existing Land Use: All Indian Rodeo Grounds

Proposed Land Use: All Indian Rodeo grounds and other events

Comprehensive Plan Designation:

Current: Exclusive Farm Use

Proposed: Industrial

The following requirements shall be addressed by the applicant (use separate sheet(s) for explanation):

1. That the proposed Amendment complies with the Statewide Planning Goals. Each Goal must be addressed or explained why not applicable. If it appears that it is not possible to apply an appropriate goal to specific properties or situations, then the applicant shall set forth the proposed Exception to such goal as provided in Statewide Planning Goal #2, Part II. Compelling reasons and facts shall be given why an Exception should be adopted including:
 - a. Why the proposed use should be provided for;
 - b. What alternative locations within the area could be used for the proposed use;
 - c. What are the long-term environmental, economic, social and energy consequences to the locality, the region or the state from not applying the Goal or permitting the proposed use;

- d. How the proposed use would be compatible with other adjacent uses.
2. Substantial proof that the proposed change will not be detrimental to the spirit and intent of such goals.
3. Did a mistake in the original Comprehensive Plan occur? If so explain. If not, what change in the character of the neighborhood has occurred which would warrant the proposed change?
4. Factors which relate to the public need for healthful, safe and aesthetic surroundings and conditions.
5. Proof of change in the inventories originally developed.
6. Revisions shall be based on special studies or other information which will serve as the factual basis to support the change. The public need and justification for the particular change must be established.

Attach a map which clearly outlines the area of the proposed change.

FILING FEE: \$200.00

(Make check payable to: Wasco County Planning & Development Office)

NOTE: Fees are not transferable or refundable.

You or your representative must be present at public hearing associated with this application to present your case. You will be notified by mail of the time, date and place.

PLEASE NOTE THAT THE BURDEN OF PROOF IS PLACED UPON THE APPLICANT SEEKING THE AMENDMENT.

Lywama Saddle Club
Tom Ashley President
(Applicant)

3-12-89
(Date)

WASCO COUNTY PLANNING & DEVELOPMENT OFFICE

APPLICATION FOR ZONE CHANGE

RECEIVED

MAR 13 1989

Wasco Co. Plan. & Dev. Office

APPLICANT:

TYWAMA SADDLE CLUB, INC. %) 503 483-2238
 (Last Name) (First Name) (Middle Name) (Telephone)
 Tygh Valley, Oregon 97063
 (Address)

Legal Owner: Tywama Saddle Club, Inc.

If applicant is not legal owner, state interest in property:

LOCATION OF SUBJECT PROPERTY:

Township: 3S Range: 13 EWM Section: (33) Tax Lot: 4300 A
 Township: 4S Range: 13 EWM Section: (04) Tax Lot: 1501
 Size of Parcel: T.L. 4300 = 39.90 AC.
T.L. 1501 = 17.50 AC.
2740 Total Ac.

Existing Zoning: A-1 (80) Plan Designation: EFU

Proposed Zone Change: M-1 (concurrent with Comp Plan amendment)

Existing Land Use: Saddle Club - All Indian Rodeo Grounds

Surrounding Land Use: Farming Mostly early spring pasture

State the purpose for the proposed zone change: It has become almost impossible to generate enough profit from the All Indian Rodeo to pay taxes and other expenses. We need to add other events on this property.

How does the proposed zone change comply with the Comprehensive Plan?

Application for Plan amendment accompanies zone change request

If the request is not in conformance with the Comprehensive Plan, why should the request be considered? _____

What effect would the proposed zone change have on surrounding properties?

no apparent effect

Is there a public need or demand to support the requested zone change? If so, what?: _____

Demand by local racing association

A site plan shall be drawn on a separate sheet, approximately to scale. The following must be shown:

1. Parcel boundaries (shape) and dimensions.
2. The size and location of all existing structures.
3. Existing access.
4. Predominant natural features.
5. Direction to north.
6. Any other information which you feel may help in evaluating your request.

Wasco Co. Planning & Development Office
Zone Change Application
Page 3 of 3

Attach a copy of deed and/or contract and any other information regarding property restrictions or covenants.

Tywama Saddle Club
(Petitioner)

3-12-89
(Date)

YOU OR YOUR REPRESENTATIVE MUST APPEAR AND PRESENT YOUR CASE TO THE PLANNING COMMISSION.

P89-0134 (28)

B-5

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
WASCO COUNTY ASSESSOR'S OFFICE

40-1

35	13			4300				
TWP.	RGE. E.	SEC.	1/4/16	TAX LOT NUMBER	TYPE	SPEC. INT. IN REAL PROP.	CODE AREA NUMBER	
MAP NUMBER				ACCOUNT NUMBER				

FORMERLY PART OF T.L. NO. _____

INDENT EACH NEW COURSE TO THIS POINT	ADDITIONAL DESCRIPTION AND RECORD OF CHANGE	DATE OF ENTRY ON THIS CARD	DEED RECORD		ACRES REMAINING
			VOL	PG	
	T3S R13E WM				
	Sec 33 SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.00				
	Exc: TL 4400 DV 89-122 3.00				
	Exc: TL 4500 DV 119-86 10.00		136	265	27.00
	B & S	9-7-71	71		
			1558		
	Also: (formerly Parcel 4001) T3S R13E WM Sec 33: Beg at the NE cor of SW $\frac{1}{4}$ SW $\frac{1}{4}$ of sd Sec 33; th S alg the E li of sd subd 881' to the Ely r/w li of Hwy #197; th N 12 deg 06' W 900' to N li of sd SW $\frac{1}{4}$ SW $\frac{1}{4}$; th E 189' to the POB 1.90				
	Also: Beg at NW cor SE $\frac{1}{4}$ SW $\frac{1}{4}$ of sd Sec 33; th E 495'; th S 264'; th W 495'; th N 264' to POB 3.00				
	Also: Beg at SW cor of SE $\frac{1}{4}$ SW $\frac{1}{4}$ of sd Sec 33; th E 870' alg S li; th N 500'; th W 870'; th S 500' to POB 10.00				
	Exc: Hwy r/w 2.00 request	10-17-78			39.90
			65-2075		
			89-122		
			64-2453		
			65-2074		
			119-86		41.90

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY

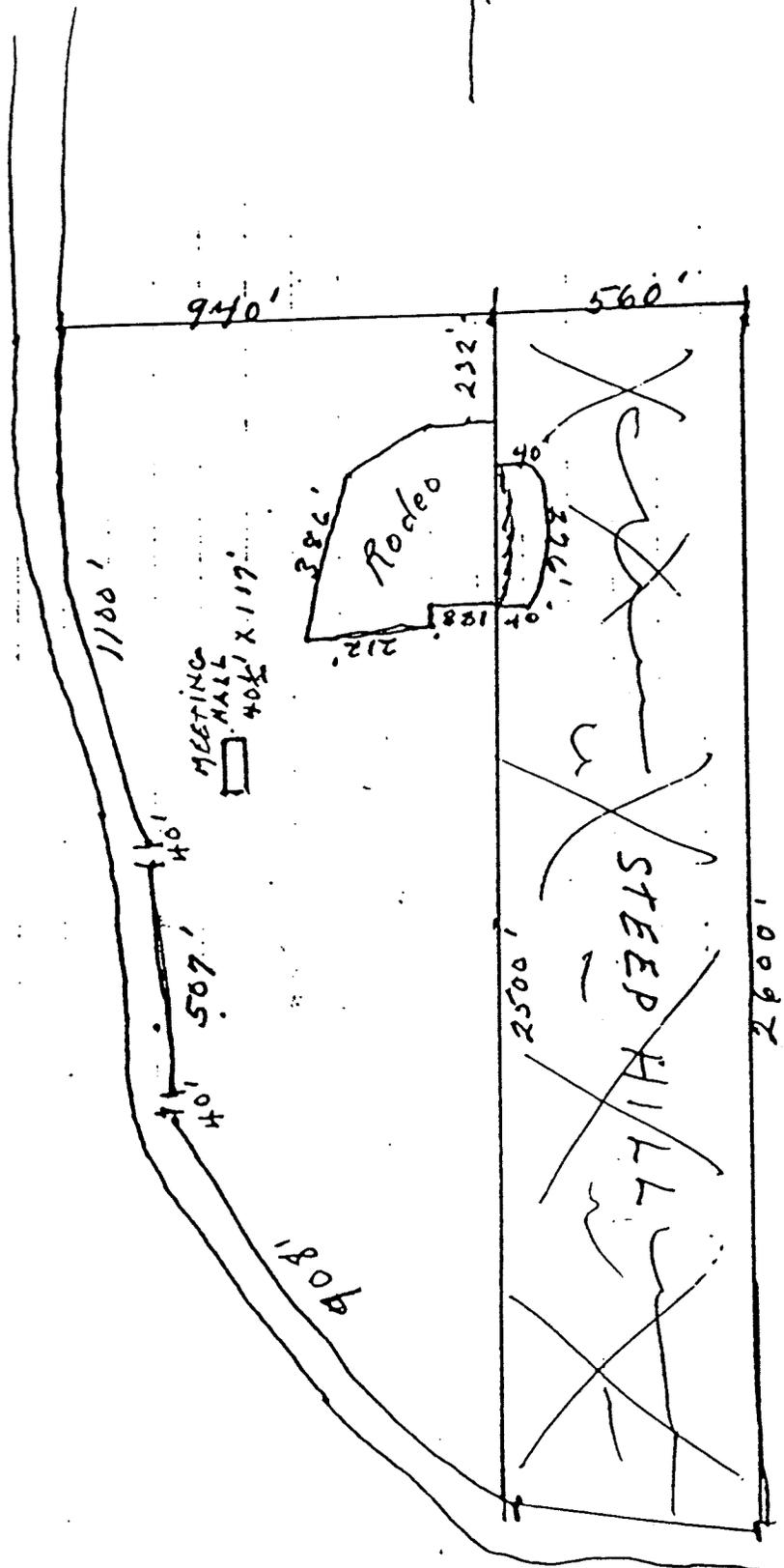
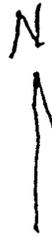
WASCO COUNTY ASSESSOR'S OFFICE

FORMERLY PART OF T.L. NO. 1500

4S	13			1501		40-1
SW 1/4	RGE	SEC	1/4	TAX LOT	TYPE	SPEC. INT. IN REAL PROP
MAP NUMBER				TAX LOT NUMBER		CODE AREA NUMBER
ACCOUNT NUMBER						

INDENT EACH NEW COURSE TO THIS POINT	DESCRIPTION AND RECORD OF CHANGE	DATE OF ENTRY ON THIS CARD	DEED RECORD		ACRES REMAINING
			VOL.	PG.	
T4S R13E WM Sec 4 That portion of Government lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Sec 4 ly Nly & Ely of The Dalles-California Hwy.		12-12-69	69 1962		17.50

1 inch = 400 feet



SECTION 3.510 "M-1" LIGHT INDUSTRIAL ZONE

A. Purpose

The Light Industrial classification is intended to create, preserve, and enhance areas containing secondary manufacturing and related establishments and intense commercial uses with limited external impact. These uses are typically appropriate to locations near major thoroughfares and non-manufacturing areas.

Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "M-1" Light Industrial Zone shall comply with the following regulations:

B. Permitted Uses

In the "M-1" Light Industrial Zone, the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this Ordinance:

1. Any use permitted in the "C-2" Commercial Zone.
2. Art glass works and ceramics manufacturing using only electric kilns and excluding the grinding of clay.
3. Assembly, rebuilding, repair and maintenance of motor vehicles, including painting and upholstery.
4. Wholesale business, storage warehousing, transfer company and trucking companies.
5. Public utility buildings and service yards.
6. Contractor's offices and equipment storage yard, or storage and rental of equipment commonly used by contractors.
7. Cold storage plants, including storage and office.
8. Feed, seed and fuel stores conducted wholly within a completely enclosed building except that packaged materials may be stored in an enclosed outside yard.

9. Light manufacturing, assembly, fabricating or packaging of products from previously prepared materials such as cloth, plastic, paper, leather, metal, stone, canvas, bone, cellophane, cork, feather, fiber, shell, tobacco, wax, wire, wood yards, and paint not employing a boiling process.
10. Light fabrication and repair shops such as blacksmith, cabinet, electric motor, heating, machine, sheet metal, stone monuments, upholstery and welding.
11. Manufacture of food products, pharmaceuticals, and the like; but not including the production of fish or meat products, or fermented foods, such as sauerkraut, vinegar, or the like; or the rendering of fats and oils.
12. Laundry and cleaning service industries.
13. Wood products manufacture but excluding paper and pulp manufacture and planing and lumber mill.
14. Manufacture of electric, electronic or optical instruments or devices.
15. Engineering and laboratory research.
16. Retail or combination retail whole lumber and building materials yard, not including concrete mix.
17. Outdoor storage when enclosed by a fence, wall or sight obscuring landscaping; all of which shall be maintained.
18. Circus, rodeo or like activity.
19. Collection, packaging, storage and reprocessing of recyclable materials such as newspaper, cardboard, glass, metal, plastic and oil.
20. Veterinary or pet clinic or hospital, kennel or hatchery.
21. Barge docking, loading and storage facilities.
22. Moving and storage of furniture and household goods.
23. Uses customarily incidental to any of the above uses and accessory buildings, when located on the same lot or land parcel.
24. One mobile home or watchman's quarters in conjunction with a permitted or conditional use.
25. Uses similar to those permitted in Section 3.510(B) that are not specifically listed under the "M-2" or "M-3" zones, provided that: P89-0134 (28)

- a. The use is not objectionable due to odor, dust, smoke, noise, vibration or appearance.
 - b. Items manufactured, processed or produced in this zone shall be primarily for wholesale.
 - c. One single-family dwelling in conjunction with such use may be permitted.
26. Energy facilities and commercial energy facilities subject to the provisions of Chapter 19.
27. Utility facilities necessary for public service.

C. Uses Permitted Conditionally

In the "M-1" Light Industrial zone, the following uses and activities and their accessory buildings and uses are permitted when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5 and this section:

1. Any residential use permitted as a conditional use in the "C-2" zone. (added 2-89)
2. Automobile Service Stations.
3. Junk yard or automotive wrecking yard enclosed with a view-obscuring fence or wall.
4. Recreation areas and facilities, including but not limited to: golf courses.
5. Bulk storage of petroleum or gas.
6. Operations conducted for the exploration, mining and processing of aggregate and other minerals as subsurface resources. (added 2-89)

D. Property Development Standards

1. Property Size - The minimum property size shall be determined based on the amount of area required for proper sanitation, off-street parking, loading, maintenance of setbacks and compatibility with adjacent uses.
2. Setbacks
 - a. Front Yard - No structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road except where forty percent (40%) of the frontage is developed with

buildings having front yards with a variation of ten (10) feet in depth shall establish the front yard depth of the entire frontage.

- b. Side Yards - Where the side of a lot or parcel in an "M-1" zone abuts the side of an "A" or an "R" zone, there shall be a side yard of not less than seven (7) feet. In all cases, on a corner lot or parcel, there shall be a side yard setback of ten (10) feet from exterior side property lines for corner building sites. In other cases, a side yard shall not be required.
- c. Rear Yard - No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property line.
3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.
4. Height - Maximum height for all structures shall be forty-five (45) feet.
5. Stream Setback - All structures, or similar permanent fixtures (except hydroelectric facilities) shall be set back from the high water line or mark along all streams or lakes a minimum distance of fifty (50) feet when measured horizontally at a right angle. Exception may be granted upon a demonstration that the proposed use will not have an adverse effect on streams or lakes.
6. Signs - No standard established except no sign shall be placed on walls or surfaces abutting an "A" or an "R" zone.
7. Parking - Off street parking shall be provided in accordance with Chapter 4.
8. Site Plan Review - Provisions of Chapter 20 shall apply.